



Federal Communications Commission
Washington, D.C. 20554

DA 08-551

March 11, 2008

William K. Coulter, Esq.
DLA Piper US LLP
500 8th Street, N.W.
Washington, DC 20004

Re: Call Sign E000669
File No. SES-MOD-20080229-00213

Dear Mr. Coulter:

On February 29, 2008, TeleCommunication Systems filed the above-captioned application to modify its VSAT network license¹ to add an additional terminal-type. Pursuant to Section 25.112(a)(1) of the Commission's rules, 47 C.F.R. § 25.112(a)(1), we dismiss the application as defective without prejudice to refiling.

Section 25.112 of the Commission's rules, 47 C.F.R. § 25.112, requires the Commission to return, as unacceptable for filing, any earth station application that is not substantially complete, contains internal inconsistencies, or does not substantially comply with the Commission's rules. TeleCommunication Systems' application does not comply with the Commission's rules, which renders it unacceptable and subject to dismissal. The deficiencies are as follows:

The application lists ALSAT-designated satellites as the earth station's only intended points of communication. Earth station applicants may not use the ALSAT designation in cases where the earth station's power density exceeds the limit in Section 25.212(c) of the Commission's rules, 47 C.F.R. § 25.212(c). Applicants proposing operations exceeding this limit must identify specific satellites as points of communications.² In response to item E49 of Schedule B, TeleCommunication Systems lists 38.80 dBW/4kHz as the maximum equivalent isotropic radiated power (e.i.r.p.) density per carrier for emission 5M00G7D. Based on this information, we calculate the power density at the input of the antenna flange as -8.70 dBW/4kHz (subtracting the antenna gain from the e.i.r.p. density). This value exceeds the -14.0 dBW/4kHz power density limit in Section 25.212(c). Thus, TeleCommunication Systems cannot use an ALSAT designation and must specifically list all satellites with which the earth station intends to communicate.

Additionally, applicants requesting authority for earth stations that will operate at power density exceeding the level in Section 25.212(c) must submit a certification described in Section

¹ This network operates in the 11.7-12.2 and 14.0-14.5 GHz frequency bands.

² Amendment of the Commission's Regulatory Policies to Allow Non-U.S.-Licensed Space Stations to Provide Domestic and International Services in the United States, First Order on Reconsideration, IB Docket No. 96-111, 15 FCC Rcd 7207-7210 n.19.

25.220(e)(1) of the Commission's rules, 47 C.F.R. § 25.220(e)(1) from each target satellite operator. TeleCommunication Systems' application does not include these certifications.

In light of the above, pursuant to Section 25.112(a)(1) of the Commission's rules, 47 C.F.R. § 25.112(a)(1) and Section 0.261 of the Commission's rules on delegations of authority, 47 C.F.R. § 0.261, we dismiss TeleCommunication Systems' application without prejudice of refiling.³

Sincerely,

Scott A. Kotler
Chief, Systems Analysis Branch
Satellite Division
International Bureau

³ If TeleCommunication Systems refiles an application identical to the one dismissed, with the exception of supplying the corrected information, it need not pay an application fee. See 47 C.F.R. § 1.1109(d).